

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:11-cv-01072-CKK**

AMERICAN CIVIL LIBERTIES UNION et al v.  
DEPARTMENT OF STATE  
Assigned to: Judge Colleen Kollar-Kotelly  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/09/2011  
Date Terminated: 07/23/2012  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**AMERICAN CIVIL LIBERTIES  
UNION**

represented by **Arthur B. Spitzer**  
AMERICAN CIVIL LIBERTIES UNION  
OF THE NATION'S CAPITAL  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Benjamin E. Wizner**  
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**Plaintiff**

**AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION**

represented by **Arthur B. Spitzer**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Benjamin E. Wizner**  
(See above for address)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Nathan Freed Wessler**  
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V.

**Defendant****DEPARTMENT OF STATE**represented by **Scott Risner**

U.S. DEPARTMENT OF JUSTICE  
 20 Massachusetts Avenue, NW  
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Date Filed	#	Docket Text
06/09/2011	<u>1</u>	COMPLAINT against DEPARTMENT OF STATE ( Filing fee \$ 350, receipt number 4616039522) filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet)(jf, ) (Entered: 06/09/2011)
06/09/2011		SUMMONS (3)Issued as to DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (jf, ) (Entered: 06/09/2011)
06/09/2011	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests NONE by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (jf, ) (Entered: 06/09/2011)
06/14/2011	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Benjamin E. Wizner, :Firm– American Civil Liberties Union Foundation, :Address– 125 Broad Street, New York, NY 10004. Phone No. – 212–519–7860. Fax No. – (212) 549–2651 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Ben Wizner, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 06/14/2011)
06/16/2011	<u>4</u>	ORDER Establishing Procedures for Electronic Filing for Cases Assigned to Judge Colleen Kollar–Kotelly, signed on June 16, 2011. (SM) (Entered: 06/16/2011)
06/17/2011	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/16/2011. (Spitzer, Arthur) (Entered: 06/17/2011)
06/17/2011	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/16/2011. Answer due for ALL FEDERAL DEFENDANTS by 7/16/2011. (Spitzer, Arthur) (Entered: 06/17/2011)
06/21/2011		MINUTE ORDER granting <u>3</u> Motion for the Admission, Pro Hac Vice, of Ben Wizner as Additional Counsel for Plaintiff, contingent upon Attorney Wizner certifying to the Court that he is familiar with the Local Rules of this Court. Signed by Judge Colleen Kollar–Kotelly on June 21, 2011. (SM) (Entered: 06/21/2011)
06/22/2011	<u>7</u>	RESPONSE TO ORDER OF THE COURT re Order on Motion for Leave to Appear Pro Hac Vice, filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (znmw, ) (Entered: 06/26/2011)
06/30/2011	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF STATE served on 6/15/2011 (Spitzer, Arthur) (Entered: 06/30/2011)
07/14/2011	<u>9</u>	NOTICE of Appearance by Scott Risner on behalf of DEPARTMENT OF STATE (Risner, Scott) (Entered: 07/14/2011)
07/14/2011	<u>10</u>	ANSWER to <u>1</u> Complaint by DEPARTMENT OF STATE.(Risner, Scott) (Entered: 07/14/2011)

07/14/2011		MINUTE ORDER (paperless). The Defendant having now answered the Complaint in this Freedom of Information Act action, the parties shall promptly meet and confer and, on or before Monday, July 25, 2011, file a Joint Status Report proposing a schedule for proceeding in this action. Signed by Judge Colleen Kollar-Kotelly on July 14, 2011. (lcckk3) (Entered: 07/14/2011)
07/22/2011	<u>11</u>	STATUS REPORT ( <i>Joint</i> ) by DEPARTMENT OF STATE. (Risner, Scott) (Entered: 07/22/2011)
07/25/2011		MINUTE ORDER (paperless). Upon consideration of the parties' <u>11</u> Joint Status Report, Defendant shall produce all non-exempt, responsive records to Plaintiffs by no later than September 30, 2011. On or before October 31, 2011, the parties shall file a Joint Status Report proposing a briefing schedule for the resolution of any outstanding issues within the scope of the <u>1</u> Complaint. Signed by Judge Colleen Kollar-Kotelly on July 25, 2011. (lcckk3) (Entered: 07/25/2011)
07/25/2011		Set/Reset Deadlines: Joint Status Report due by 10/31/2011. (dot ) (Entered: 10/26/2011)
09/29/2011	<u>12</u>	Unopposed MOTION for Extension of Time to <i>Complete Processing</i> by DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Risner, Scott) (Entered: 09/29/2011)
09/30/2011		MINUTE ORDER (paperless). Upon consideration of Defendant's <u>12</u> Unopposed Motion to Extend Production Deadline, and in particular Defendant's representation that the "requested extension... should leave sufficient time for the parties to submit a proposed briefing schedule by October 31, 2011," as required by the Court's Minute Order dated July 25, 2011, the Motion is GRANTED. Defendant shall have to and including October 21, 2011, to produce all non-exempt, responsive records to Plaintiffs. Signed by Judge Beryl A. Howell, sitting as the Motions Judge under Local Civil Rule 40.8, on September 30, 2011. (lcckk3) (Entered: 09/30/2011)
10/11/2011	<u>13</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nathan Freed Wessler, :Firm– American Civil Liberties Union Foundation, :Address– 125 Broad Street, NY NY 10004. Phone No. – (212) 519-7847. Fax No. – 212-549-2651 by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Declaration of Nathan Freed Wessler, # <u>2</u> Text of Proposed Order)(Spitzer, Arthur) (Entered: 10/11/2011)
10/12/2011		MINUTE ORDER granting <u>13</u> Motion for Admission Hac Vice as to Nathan Freed Wessler, contingent upon Attorney Wessler certifying to the Court that he is familiar with the Local Rules of this Court. Signed by Judge Colleen Kollar-Kotelly on October 12, 2011. (SM) (Entered: 10/12/2011)
10/20/2011	<u>14</u>	RESPONSE TO ORDER OF THE COURT re Order on Motion for Leave to Appear Pro Hac Vice, filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Wessler, Nathan) (Entered: 10/20/2011)
10/27/2011	<u>15</u>	STATUS REPORT ( <i>Joint Proposed Briefing Schedule</i> ) by DEPARTMENT OF STATE. (Risner, Scott) (Entered: 10/27/2011)
10/28/2011	<u>16</u>	SCHEDULING AND PROCEDURES ORDER. Upon review of the parties' <u>15</u> Joint Proposed Briefing Schedule, and in order to administer this civil action in a manner fair to the litigants and consistent with the parties' interest in completing this litigation in the shortest possible time and at the least possible cost, the parties are directed to comply with each of the directives set forth in this Order. In addition, the parties shall adhere to the following schedule: by no later than December 22, 2011, Defendant shall serve and file its motion for summary judgment; by no later than January 23, 2012, Plaintiffs shall serve and file their opposition to Defendant's motion for summary judgment and their cross-motion for summary judgment; by no later than February 13, 2012, Defendant shall serve and file its reply in support of its motion for summary judgment and its opposition to Plaintiffs' cross-motion for summary judgment; and by no later than February 27, 2012, Plaintiffs shall serve and file their reply in support of their cross-motion for summary judgment. The dates identified are firm; the Court has given the parties the schedule that they have requested and expects that they will adhere to

		that schedule. Signed by Judge Colleen Kollar-Kotelly on October 28, 2011.(lcckk3) (Entered: 10/28/2011)
12/22/2011	<u>17</u>	MOTION for Summary Judgment by DEPARTMENT OF STATE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Walter Declaration, # <u>3</u> Exhibits to Walter Declaration, # <u>4</u> Text of Proposed Order)(Risner, Scott) (Entered: 12/22/2011)
01/23/2012	<u>18</u>	Cross MOTION for Summary Judgment by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration, # <u>3</u> Exhibit A-C, # <u>4</u> Exhibit D-M, # <u>5</u> Exhibit N-S, # <u>6</u> Exhibit T-W, # <u>7</u> Exhibit X-Z, # <u>8</u> Exhibit AA-AG, # <u>9</u> Exhibit AH-AM, # <u>10</u> Exhibit AN-AS, # <u>11</u> Text of Proposed Order)(Wizner, Benjamin) (Entered: 01/23/2012)
01/23/2012	<u>19</u>	Memorandum in opposition to re <u>17</u> MOTION for Summary Judgment filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (See Docket Entry <u>18</u> to view document. Counsel is reminded to file the opposition as a separate docket entry in future). (znmw, ) (Entered: 01/24/2012)
02/13/2012	<u>20</u>	Memorandum in opposition to re <u>18</u> Cross MOTION for Summary Judgment filed by DEPARTMENT OF STATE. (Attachments: # <u>1</u> Response to Statement of Facts, # <u>2</u> Text of Proposed Order)(Risner, Scott) (Entered: 02/13/2012)
02/13/2012	<u>21</u>	REPLY to opposition to motion re <u>17</u> MOTION for Summary Judgment filed by DEPARTMENT OF STATE. (Risner, Scott) (Entered: 02/13/2012)
02/27/2012	<u>22</u>	REPLY to opposition to motion re <u>18</u> Cross MOTION for Summary Judgment filed by AMERICAN CIVIL LIBERTIES UNION, AMERICAN CIVIL LIBERTIES UNION FOUNDATION. (Spitzer, Arthur) (Entered: 02/27/2012)
07/23/2012	<u>23</u>	ORDER AND JUDGMENT. For the reasons stated in the accompanying Memorandum Opinion, the State Department's <u>17</u> Motion for Summary Judgment is GRANTED, the ACLU's <u>18</u> Cross-Motion for Summary Judgment is DENIED, and final judgment is ENTERED in the State Department's favor. Signed by Judge Colleen Kollar-Kotelly on July 23, 2012. (lcckk3) (Entered: 07/23/2012)
07/23/2012	<u>24</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on July 23, 2012. (lcckk3) (Entered: 07/23/2012)